

**Federal Defenders
OF NEW YORK, INC.**

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May 28, 2021

By ECF and by e-mail

Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Application DENIED in deference to the objections of the Government and the Probation Office. The Clerk of the Court is directed to terminate the letter motion at docket number 51.

Dated: June 1, 2021
New York, New York



LORNA G. SCHOFIELD

UNITED STATES DISTRICT JUDGE

Re: *United States v. Jonel Van Demark*, 13 Cr. 919 (LGS)

Dear Judge Schofield:

I write to respectfully request that Mr. Van Demark be permitted to travel to Nevada from June 4 to June 8, 2021 to attend the wedding of a very close friend. I further request that the Court suspend the condition of curfew during Mr. Van Demark's trip. Mr. Van Demark will provide his itinerary and address to the Probation Office in advance of travel, and will be reachable by cell phone during the trip. The Probation Office – per Officer Charnice Perez – opposes the request “given that it is just one week away and he has even yet to begin his curfew monitoring.” The Government also opposes the request.

As an initial matter, the lateness of the request is counsel's fault. Mr. Van Demark asked that I put in this request on May 17, 2021. At the time, I thought it made sense to wait to hear the outcome of the conference on May 24, 2021, but in retrospect I should have made the request earlier.

As described at the conference, Jonel Van Demark is a 46-year-old man who has been on supervision for almost exactly five years. During that time he has worked regularly and taken care of his children. Mr. Van Demark has been a very positive contributor to his family and community since his release from incarceration in 2016.

As discussed, Mr. Van Demark traveled to Florida in November 2020 and February 2021 without notifying his Probation Officer. His reason for going to Florida – to help care for his older children – was benign, but there is no excuse for his not informing the Probation Office. As a result, earlier this week the Court placed Mr. Van Demark on a curfew for a period of 60 days.

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I urge the Court to allow Mr. Van Demark to travel for this important social occasion. While Mr. Van Demark traveled without permission in the past, he recognizes his responsibility for getting permission before leaving New York. Given Mr. Van Demark's overall positive conduct over the past 58 months on supervision, he should be permitted to attend his friend's wedding, even if it requires travel to another state.

Thank you for your consideration of this request.

Respectfully Submitted,

/s/ _____
Martin S. Cohen
Ass't Federal Defender
(212) 417-8737

Cc: Andrew Jones, Esq., by ECF and e-mail
Charnice Perez, U.S. Probation Officer